

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
December 7, 2010

The City Council convened in Regular Session on Tuesday, December 7, 2010, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Michael Klinghammer, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Bob Kneemiller, Larry Muench, Bridget Ohmes, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller. Absent: None. Councilmember Laurie Feldman arrived during the meeting as reported in the record. City Clerk Marilyn K. McCoy was present and performed the duties of that office.
File #47279

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS

The President of the Council Michael Klinghammer announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

- A. Budget for Fiscal Year 2011 (***Council Bill 10391***)
- B. Capital Improvement Plan for Fiscal Years 2011-2016 (***RCA Attached***)
- C. Case No. CU-25-10. (Tim Evans) An application for a Conditional Use Permit from §156.094(C) for a Temporary Retail Sales use within the CBD Central Business District, specifically to permit a produce stand on an existing parking lot at 517 North Fifth Street (NW Corner of Fifth St. and Clark St.). The subject property is 0.78 acres and is located in Ward 1. (***Withdrawn by Applicant – RCA Attached***)
- D. Case No. CU-29-10. (Marvin Rotenberg). An application for a Conditional Use Permit from §156.035(C)(1)(a) for Vehicle Sales within the I-1 Light Industrial District, specifically to permit a used car sales business in addition to the furniture store at 1755 Ford Lane. The subject property is located in Ward 3. (***RCA Attached***)
- E. Case No. CU-30-10. (Sanford S. Talley). An application for a Conditional Use Permit from §156.094(C) for Temporary Retail Sales within the HCD Historic Commercial District, specifically to permit a temporary food stand during Christmas Traditions (December 8, 2010 through December 26, 2010) at 820 South Main Street. The subject property is located in Ward 2. (***Withdrawn by Applicant – RCA Attached***)
- F. Case No. CU-31-10. (Move It On and More, LLC). An application for a Conditional Use Permit from §156.033(C)(1)(g) for Secondhand Sales within the C-2 General Business District, specifically to permit a resale and antiques, new retail and craft store at 2031 Old Highway 94 South. The subject property is located in Ward 4. (***RCA Attached***)
- G. Case No. DR-09-10. An ordinance amending Section 156.740 et seq. Billboards of the City of St. Charles Code of Ordinances (Zoning Code). (***Council Bill 10373***)

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RESOLUTIONS

A Resolution of the City of St. Charles, Missouri, Authorizing the Mayor, City Council, and President of the Park and Recreation Board to Submit a Grant Application to the Missouri Department of Natural Resources, Division of State Parks Grant Management Section for a Land and Water Conservation Fund (LWCF) Grant for the 2011 Fiscal Year (*Sponsors: Laurie Feldman and Bridget Ohmes*)

Passed “Aye”: Reese, Stivison, Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, and Ohmes

“Nay”: None

Absent: Feldman

Approved by the Honorable Mayor on December 7, 2010, and is known as **Resolution R10-27**

A Resolution of the City of Saint Charles, Missouri, Expressing Support for the *Durbin – Schumer Flood Insurance Affordability and Risk Notification Act* to Delay Implementation of the Federal Emergency Management Agency (FEMA)’s Mandatory Flood Insurance Purchase Requirement for Five Years (*Sponsors: Bob Kneemiller and Michael Klinghammer*)

All members requested that their names be added as sponsors. Councilmember Bob Kneemiller provided an explanation of the *Durbin – Schumer Flood Insurance Affordability and Risk Notification Act*; and requested that copies of the Resolution be forwarded to the appropriate Federal Legislators.

Passed “Aye”: Stivison, Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes, and Reese

“Nay”: None

Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Resolution R10-28**

BILLS FOR FINAL PASSAGE

Bill 10162 (*Withdrawn*)

An Ordinance Amending Section 40.23 of the Code of Ordinances Requiring

Competitive Bidding with Contract Extensions and Renewals (*Sponsor: Bob Kneemiller*)

Council Bill 10162 was withdrawn by Sponsor Bob Kneemiller.

File #47513

Bill 10354 (*Amended*)

An Ordinance Repealing Ordinance 10-73 and Enacting a New Ordinance Designating Enterprise Bank & Trust a Depository of the City of St. Charles, Missouri; Authorizing the Establishment of a Joint Bank Account Titled “The City of St. Charles, Missouri and St. Charles County Convention and Sports Facilities Authority” at Enterprise Bank & Trust; and Designating Persons Authorized to Initiate Wire Transfers or Sign Checks on Behalf of the City (*Sponsors: Larry Muench, Jerry Reese, Ron Stivison and Laurie Feldman*)

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A motion was made by LARRY MUENCH to amend Council Bill 10354 to add Temporary Finance Director Jerry Ponder as a signatory on the Joint Bank Account Titled "The City of St. Charles, Missouri and St. Charles County Convention and Sports Facilities Authority" at Enterprise Bank & Trust. RON STIVISON seconded the motion. All voted in favor, motion passed.

Bill 10355

An Ordinance Releasing the Southern Seven (7) Feet of Permanent Roadway Easement of Country Club Road Along the Rear of Lots 1 through 6 of Bogey Club Phase 2 Subdivision and Retaining a Temporary Construction Easement Therein (*Sponsor: Jerry Reese*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes, Reese, and Stivison

"Nay": None

Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-259**

Bill 10356

An Ordinance Ordering that Certain Improvements Within the Streets of St. Charles at Noah's Ark Neighborhood Improvement District of the City Be Made; and Directing that Financing for the Costs Thereof Be Obtained, All Pursuant To the Neighborhood Improvement District Act (*Sponsors: Laurie Feldman and Bob Kneemiller*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes, Reese, and Stivison

"Nay": None

Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-260**

Bill 10357

An Ordinance Authorizing an Agreement with Connections to Success for the Distribution of Community Development Block Grant Recovery (CDBG-R) Funds for a Workforce Transportation Program for Low Income City Residents (*Sponsors: Michael Klinghammer and Laurie Feldman*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes, Reese, and Stivison

"Nay": None

Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-261**

Bill 10358

An Ordinance Authorizing the City of St. Charles, Missouri, to Consent to the Execution of a First Supplemental Trust Indenture to Correct a Scrivener's Error in Connection with the Certificates of Participation (City of St. Charles, Missouri, Lessee), Series 2003; and

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Authorizing and Approving Certain Documents and Actions in Connection Therewith
(Sponsor: Michael Klinghammer)

Passed “Aye”: Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
Reese, and Stivison
“Nay”: None
Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-258**

Bill 10359

An Ordinance Authorizing a Cooperative Agreement Between the City of St. Charles and Frontenac Bank for Reimbursement of Storm Water Drainage Facility Repair and Reconstruction at the Manors of Wynnebrooke Subdivision in an Amount not to Exceed \$75,000 (Sponsor: Bridget Ohmes)

Passed “Aye”: Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
Reese, and Stivison
“Nay”: None
Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-262**

Bill 10360

An Ordinance Rezoning to Zoning District PD-I (Planned Development Industrial District) From Zoning District R-1C (Single-Family Residential District) and Zoning District R-1E Single Family Residential District, 26.5 Acres of Land Located Northeast of Little Hills Expressway, Southwest of Boschertown Road and Adjacent to Fox Hill Park; Approving the Preliminary Development Plan of Patriot Machine Inc. PD-I in Connection Therewith; and Approving and Authorizing Execution of a Planned Development Agreement (Sponsors: Richard Veit and Larry Muench)

Passed “Aye”: Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
Reese, and Stivison
“Nay”: None
Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-263**

Bill 10361

An Ordinance Authorizing the City of St. Charles, Missouri, to Enter into a Lease Purchase Transaction to Provide Funds to Pay the Costs of Refunding Certain Outstanding Leasehold Revenue Bonds of the City; and Authorizing and Approving Certain Documents and Actions in Connection Therewith (Sponsor: Michael Klinghammer)

Mayor Patricia M. York introduced the City’s Financial Advisory, Joy Howard. Ms. Howard informed the Council that the savings to the City by refinancing the revenue bonds is \$2,885,000; and the interest rate is 3.800239%. A separate vote was taken on Council Bill 10361, with the following results:

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Passed “Aye”: Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
 Reese, Stivison, and Veit
 “Nay”: None
 Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-257**

Bill 10362

An Ordinance Authorizing a Site Access License Agreement with Leonard’s Metal Inc., or LMI Aerospace, Inc., for the Purpose of Allowing the Installation of Four Monitoring Wells on City Property (*Sponsors: Michael Klinghammer and Richard Veit*)

Passed “Aye”: Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
 Reese, and Stivison
 “Nay”: None
 Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-264**

Bill 10363

An Ordinance Authorizing a Contract with R.V. Wagner, Inc. for the East Branch Cole Creek Bank Stabilization Phase I Project in an Amount Not to Exceed \$1,598,211.00 (*Sponsors: Bridget Ohmes and Michael Klinghammer*)

Passed “Aye”: Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
 Reese, and Stivison
 “Nay”: None
 Absent: Feldman

Approved by the Honorable Mayor on December 7, 2010, and is known as **Ordinance 10-256**

Bill 10364

An Ordinance Authorizing the Mayor and City Clerk to Execute a Real Estate Sale Contract between Roger and Cindy Salmons and the City of St. Charles for the Purchase of Property Addressed 1517 Shadow Wood Drive, St. Charles, Missouri, for a Total Amount Not To Exceed \$166,000; and Authorizing a Settlement Agreement and Release of All Claims with Roger and Cindy Salmons for an Amount Not to Exceed \$7,000 (*Sponsor: Michael Weller*)

Passed “Aye”: Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
 Reese, and Stivison
 “Nay”: None
 Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-267**

Bill 10365

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the McClay Road Widening Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Bob Kneemiller and Michael Weller*)

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Passed “Aye”: Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
 Reese, and Stivison

 “Nay”: None

 Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-265**

Bill 10366

An Ordinance Authorizing Supplemental Agreement No. 5 to the Engineering Services Contract with Donahue & Associates, Inc., for the Mississippi Wastewater Treatment Plant Improvements in an Amount of \$592,420.00 for a Total Contract Amount Not to Exceed \$1,874,200.50 (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Veit, Weller, Beckering, Klinghammer, Kneemiller, Muench, Ohmes,
 Reese, and Stivison

 “Nay”: None

 Absent: Feldman

Approved by the Honorable Mayor on December 8, 2010, and is known as **Ordinance 10-266**

Bill 10367 (Held)

An Ordinance Amending Chapter 36 of the Code of Ordinances of the City of St. Charles, Missouri by Creating a New Section to be Known as Section 36.20 Pertaining to Mandatory Vacation Leave for Certain Employees (*Sponsor: Bob Kneemiller*)

Council Bill 10367 was held pending discussion at the Council Work Session scheduled for January 11, 2011.

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 10368

An Ordinance Repealing Ordinance No. 10-119 and Enacting a New Ordinance to Adopt Positions, Salary, Wages and Other Compensation for Employees to Provide for Compensation for Certain Part-Time Employees; to Provide a Compensation Increase for Certain Part-Time Employees; Adds a Part-Time Christmas Traditions Position; Eliminates Part-Time Business Retention Specialist Position; to Provide a \$1500 Per Year Clothing Allowance for Certain Positions in the Police Department; to Provide a Mobile Emergency Medical Technician (Paramedic) License Renewal Incentive for Certain Positions in the Fire Department; and to Establish the Position of and Range for the New Position of Safety Coordinator; Producer & Director of Communications Title Change; Reclassifies Maintenance Supervisor, Assistant Street Superintendent and Water Maintenance Supervisor (*Sponsor: Michael Klinghammer*)

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Bill 10369

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of Ordinances by Establishing Parking Restrictions on Both Sides of a Public Alley Located Between and Parallel to Main Street and Second Street from Jackson Street to Tompkins Street (*Sponsors: Jerry Reese, Michael Klinghammer, Larry Muench, Bridget Ohmes, and Ron Stivison*)

Bill 10370

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of Ordinances by Establishing Parking Restrictions Along a Portion of Jefferson Street (*Sponsors: Jerry Reese, Michael Klinghammer, Larry Muench, Bridget Ohmes, and Ron Stivison*)

Bill 10371

An Ordinance Authorizing Supplemental Agreement No. 2 to the Engineering Services Contract with Crawford, Murphy & Tilly, Inc. for the Water Model and Master Plan Project in an Amount Not to Exceed \$30,700.00, for a Total Amount Not to Exceed \$299,700.00 (*Sponsor: Michael Klinghammer*)

Bill 10372

An Ordinance Authorizing a Contract with Amcon Municipal Concrete, LLC for the Ridgeview Sidewalk Project in an Amount Not to Exceed \$174,434.60 (*Sponsor: Dave Beckering*)

Bill 10373

An Ordinance Amending Chapter 156 of the Code of Ordinances of the City of St. Charles, Missouri by Amending Sections 156.741 and 156.743 Pertaining to Electronic Billboards (*Sponsors: Larry Muench and Laurie Feldman*)

Bill 10374

An Ordinance Authorizing a Contract with Arthur J. Gallagher Risk Management Services, Inc. to Place Various Lines of Insurance Coverage for the City in an Amount Not to Exceed \$633,259.00 (*Sponsor: Michael Klinghammer*)

Bill 10375

An Ordinance Authorizing a Contract with Corporate Claims Management, Inc. to Provide Third Party Claims Administration Services for the City in an Amount Not to Exceed \$100,000.00 (*Sponsor: Michael Klinghammer*)

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Bill 10376

An Ordinance Authorizing an Easement Encroachment License Agreement with Kurtis M. Barks for the Maintenance of an Existing Deck and Construction and Maintenance of a Proposed Deck Extension on a Utility Easement Located at or Near 32 Hampton Place Court in the Hampton Place Subdivision (*Sponsor: Michael Klinghammer*)

Bill 10377

An Ordinance Authorizing a Contract with Pipe Works Utilities, LLC for the Marina Sanitary Lift Station Upgrades Project in an Amount Not to Exceed \$174,600.00 (*Sponsors: Michael Klinghammer and Richard Veit*)

Bill 10378

An Ordinance Repealing Ordinance 08-109 Pertaining to an Information Technology Software Policy and Enacting a Comprehensive Information Technology Policy (*Sponsors: Michael Weller, Jerry E. Reese, Bob Kneemiller and Larry Muench*)

Bill 10379

An Ordinance Authorizing an Amended Family Arena Substitute Intergovernmental Cooperation Agreement with St. Charles County (*Sponsor: Michael Klinghammer*)

Bill 10380

An Ordinance Finding and Declaring that the Acquisition of Land, Right-of-Way or Easements for the Little Hills Industrial Boulevard Storm Sewer Project is Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Richard Veit and Michael Klinghammer*)

Bill 10381

An Ordinance Authorizing Supplemental Agreement No. 5 to the Engineering Services Contract with Farnsworth Group, Inc. for the South Main Street Reconstruction Project (Boone's Lick South to Reservoir Street) in an Amount of \$9,200.00, for a Total Amount Not to Exceed \$106,190.00 (*Sponsor: Larry Muench*)

Bill 10382

An Ordinance Authorizing Change Order No. 1 to the Contract with Ideal Landscape Group for the Emergency Creek Bank Stabilization Project at 1917 Park Avenue and 145 College Drive in an Amount of \$43,845.75, for a Total Amount Not to Exceed \$268,640.75 (*Sponsors: Dave Beckering, Ron Stivison, and Michael Klinghammer*)

Bill 10383

An Ordinance Amending Ordinance Number 09-231 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2010 (Budget Amendment #7) (*Sponsor: Michael Klinghammer*)

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Bill 10384

An Ordinance Repealing Ordinance Number 10-212 and Approving the Record Plat for Streets of St. Charles Amended Plat One - Quiktrip, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Bill 10385

An Ordinance Authorizing a Contract with World Wide Technology, Inc. for the Purchase of Replacement Mobile Data Terminals and Mounting Hardware for the Police and Fire Departments in an Amount Not to Exceed \$162,485.71 (*Sponsors: Michael Weller, Bob Kneemiller, Larry Muench, and Jerry Reese*)

Bill 10386

An Ordinance Approving the Record Plat for Elm – Hummingbird Park Acres, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Bridget Ohmes*)

Bill 10387

An Ordinance to “Opt-In” for the State Sales Tax Holiday from April 19 through April 25, 2011 (*Sponsor: Bob Kneemiller*)

Bill 10388

An Ordinance Approving the Record Plat for Streets of St. Charles Amended Plat Two, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Bill 10389

An Ordinance of the City of St. Charles, Missouri Amending Chapter 131 of the code of Ordinances by Creating a New Section to be Known as Section 131.50 Relating to Funeral Picketing; Establishing a Penalty for Violations Thereof; and an Effective Date (*Sponsor: Richard Veit*)

Bill 10390

An Ordinance Authorizing a Second Addendum to Lease By and Between Investments Unlimited Development Corporation and the City of St. Charles for the Lease of Office Space for the Fire Department at 118 North Second Street in an Annual Amount Not to Exceed \$32,278.50 (*Sponsor: Michael Klinghammer*)

Bill 10391

An Ordinance Adopting a Budget for the City for the Period from January 1, 2011 to December 31, 2011, and Appropriating Money in the City Treasury to Pay the Cost of Operating the City Government During That Period in Accordance with the Budget (*Sponsors: All Members of the City Council*)

Councilmember Laurie Feldman arrived at the meeting at this time.

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ITEMS FOR DISCUSSION AND/OR COUNCIL ACTION

Approval of Conditional Use Permit from Section 156.034(C) for Free Food Distribution for a Two-Phase Addition with the C-3 Highway Business District, Specifically to Permit an Expansion of the Existing Food Pantry, Church and Clinic Facilities at 2110-2140 North Fourth Street (referred from the Public Hearing of November 2, 2010)

A motion was made by RICHARD VEIT to approve the Conditional Use Permit from Section 156.034(C) for free food distribution for a two-phase addition with the C-3 Highway Business District, specifically to permit an expansion of the existing food pantry, church and clinic facilities at 2110-2140 North Fourth Street (*Case No. CU-28-10*), with the following conditions:

1. The conditional use permit is issued for the property at 2140 North Fourth Street (Salvation Army) only and is not transferable to another location.
2. A separate sign permit is required for all proposed signage on the property.
3. All rezoning and conditional use applications shall be approved by City Council and the consolidation plat shall be recorded prior to the issuance of any permits.
4. The applicant shall receive all necessary variances from the Board of Adjustment prior to the issuance of any permits. If variances are not granted, the applicant will be required to revise the site to accommodate the applicable code regulations.
5. The applicant shall receive approval of a Certificate of Appropriateness from the Landmarks Board for the design of the structure prior to the issuance of any permits.
6. The fence shall be placed along the southern edge of the parking lot in order to meet the requirements of §156.034(D)(10)(b) for screening.
7. The applicant shall ensure that all proposed parking lot lighting shall meet the regulations of code and shall not spillover onto adjacent properties which may create a burden on nearby residential areas.
8. The applicant is required to plant two (2) additional shrubs within the south landscape buffer.
9. Ensure the dumpster enclosure gates in the architectural submittal are consistent with the proposed detail submitted on Sheet 3 of the site plan prior to issuance of permits.
10. Ensure removal of the existing northern parking spaces is clearly marked on the site plan drawings prior to submitting for building permits.
11. All proposed roof-top mechanical units shall be screened from view by an increased parapet or other means architecturally consistent with the design of the structure (§156.281(B)(2)).
12. Approval of this site plan constitutes an understanding by the applicant that any comments submitted by the Public Works Department in regards to this site plan review must be addressed to the satisfaction of the Public Works Department prior to improvement plan approval (e.g. handicap parking space sign, etc.). Additional comments, significant and/or minor in nature, may be generated during the site improvement plan review process for incorporation into the development plan.
13. Non-compliance with any of the building codes, property maintenance codes, fire codes or conditions of this approval is grounds for revocation of the conditional use permit.

JERRY REESE seconded the motion. A roll call vote was taken, with the following results:
"Aye": Beckering, Feldman, Klinghammer, Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, and Weller. "Nay": None. Absent: None. Motion passed.

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Update from the Oktoberfest Committee Relative to Funding

Oktoberfest Committee Chairperson Dan Foust provided an update on the funds expended for the 2010 Oktoberfest; and gave an overview of the events which were included in the Oktoberfest.

CONSENT AGENDA

President of the Council Michael Klinghammer removed *Item 10.E.1. Change Order No. 2 to the Contract with Patterson Construction for Additional Concrete Repair Services in an Amount not to Exceed \$240.24; for a Total Contract Amount not to Exceed \$57,740.24* from the Consent Agenda. A motion was made by DAVE BECKERING to approve the balance of the Consent Agenda. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Feldman, Klinghammer Kneemiller, Muench, Ohmes, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: None. Motion passed.

A. Approval of Council Minutes

1. Regular Council Meeting of November 2, 2010
2. Public Hearing of November 2, 2010

File #47515

3. Special Council Meeting of November 9, 2010
4. Regular Council Meeting of November 16, 2010
5. Public Hearing of November 16, 2010

File #47516

6. Special Council Meeting of November 30, 2010

B. Approval of Council Committee Reports

1. Approval of Council Committee Minutes
 - a. Council Work Session of October 12, 2010
 - b. Council Work Session of November 2, 2010

File #47292

File #47292

2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Council Work Session of October 12, 2010 *(None)*
 - b. Council Work Session of November 2, 2010 *(None)*

C. Receipt of Reports from Boards, Commissions or Committees

1. Board of Public Works Meeting of October 14, 2010
 - a. Motion to Recommend Acceptance of the Public Improvements at Hollow Brook for Vantage Home Builders and Release of Escrow
 - b. Motion to Recommend Acceptance of 570 LF of Concrete Box Culvert Between Elm Point Mobile Home Park and Elm Point Industrial Drive
 - c. Motion to Recommend Acceptance of Water and Storm Sewer Utilities at New Town Plat #4 and Release of Escrow

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- d. Motion to Recommend Entering into a Contract with Coe Equipment, Inc. for the Purchase of a Track-Driven Sewer Easement Machine and Transport Trailer in an Amount not to Exceed \$53,691.00 and Disposal of the Old Unit Via the City's Annual Surplus Sale
 - e. Motion to Recommend Entering into a Contract with Ford Asphalt Co., Inc. for Asphalt Pavement Repairs for the Water Division in an Amount not to Exceed \$75,000.00
 - f. Motion to Recommend Entering into a Contract with E. H. Wachs for a Trailer Mounted Valve Exerciser and Vacuum Unit for Water Division in an Amount not to Exceed \$50,840.75
 - g. Motion to Recommend a Contract with Drake-Scruggs Equipment for the Purchase of a Ford F-550 4x2 Truck with a Knapheide Steel Service Body and Aerial Platform Lift in an Amount not to Exceed \$61,899.20
 - h. Motion to Recommend a Contract with Dave Sinclair Ford for the Purchase of One Ford F-350 Chassis Cab Truck with Knapheide Utility Bed for the Water Division in an Amount not to Exceed \$33,221
 - i. Motion to Recommend Entering into Amendment No. 5 with HDR/Archer for Post-Bid Construction Services for the Missouri Wastewater Treatment Facility in an Amount not to Exceed \$592,896
 - j. Motion to Recommend Entering into Supplemental Agreement No. 4 with Donohue and Associates, Inc. for the Design of Weir Effluent Covers in an Amount not to Exceed \$5,000
 - k. Motion to Recommend Amending Section 51.40 of the Code of Ordinance by Changing the Maximum Deposit Amount to be Held to \$150, Amending Deposits to be Returned to all Customers and Including a Minimum Late Fee Amount of \$5.00

File #47337

- 2. Landmarks Board Meeting of October 18, 2010

File #47314

- 3. Citizens with Disabilities Meeting of October 27, 2010

File #47325

- 4. Arts and Culture Commission Meeting of November 8, 2010
 - a. Motion to Approve the Following Grant Funding:
 - i. Life is Good Festival - \$2,500
 - ii. Missouri Fife and Drum Corp - \$4,000
 - iii. Fete De'Glace - \$3,000
 - iv. Missouri River Storytelling - \$1,000

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- b. Motion to Receive Final Accounting and Approve Final Payment for the Following Grants:
 - i. Life is Good Festival
 - ii. Missouri River Irish Festival
 - iii. The Big Read Tom Sawyer
 - iv. Flood Stage Productions
 - c. Motion to Hold the Final Payment of \$1,000 to Lewis & Clark Fife and Drum Corp, Pending Attendance by the Corp at the Grant Workshop
- File #47317
- 5. Planning and Zoning Commission Meeting of October 25, 2010
- File #47334
- 6. Board of Adjustment Meeting of November 8, 2010
- File #47305
- 7. Beautification Commission Meeting of August 4, 2010
- File #47316
- 8. Beautification Commission Meeting of November 10, 2010
 - a. Motion to Move Forward with Presenting the Curb Appeal Grant to Various Departments for Review
- File #47316
- 9. St. Charles Park & Recreation Board Meeting of July 15, 2010
- File #47333
- 10. St. Charles Park & Recreation Work Session of August 5, 2010
- File #47333
- 11. St. Charles Park & Recreation Board Meeting of October 20, 2010
- File #47333
- 12. St. Charles Park & Recreation Work Session of November 3, 2010
- File #47333
- 13. Convention Center Oversight Committee Meeting of September 27, 2010
 - a. Motion to Grant the Executive Committee the Authority to Approve the Centers Proposed 2011 Budgets
 - b. Motion to Award Convention Center 2010 Audit Contract to Kerber, Eck & Braeckel
- File #47347
- D. Receipt of Reports of the Director of Administration
 - 1. Notice of Emergency Purchase
- File #47319
- 2. Request for Authorization to Fill Vacant Position in the Fire Department (Paramedic Firefighter)
- File #47517
- 3. Request for Authorization to Fill Vacant Position in the Police Department (Lead Communications Specialist)

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File#47518

4. Update on Health Insurance Plan

File#47519

E. Approval of Contracts and Easements from \$30,001 - \$99,999

1. Change Order No. 2 to the Contract with Patterson Construction for Additional Concrete Repair Services in an Amount not to Exceed \$240.24; for a Total Contract Amount not to Exceed \$57,740.24

ITEM REMOVED FROM THE CONSENT AGENDA

2. Contract with Shea, Kohl, Alessi, LC to Serve as Municipal Prosecutor for Calendar Year 2011 in a Total Contract Amount not to Exceed \$54,800.00

File #47521

3. Second Renewal to the Contract with Dawn Blackburn dba Fat Dog Creative for Professional Services (Graphic Designer) in an Amount not to Exceed \$45,000.00

File #47522

F. Preliminary Plats
None

G. Miscellaneous

1. Approval of Liquor License Application for Lorene Samson dba Applebee's Neighborhood Grill & Bar Located at 2921 Veteran's Memorial Parkway (*Ownership Change*)

File #47286

2. Approval of Liquor License Application for Andrea Jobe dba Stefanina's Express Located at 1938 Zumbuhl Road

File #47286

3. Approval of Arts and Culture Commission Expenditures
- a. \$1,000 – Riverside Shakespeare Theater Company at the Foundry Art Centre
 - b. \$5,000 – MFA Exhibit at the Foundry Art Centre
 - c. \$9,533.07 – St. Charles Municipal Band

File #47302

ITEM REMOVED FROM THE CONSENT AGENDA

Item 10.E.1. Change Order No. 2 to the Contract with Patterson Construction for Additional Concrete Repair Services in an Amount not to Exceed \$240.24; for a Total Contract Amount not to Exceed \$57,740.24

President of the Council Michael Klinghammer voiced concern that a change order in the small amount of \$240.24 is placed on the Consent Agenda for approval by the Council; and requested that the procedures for approval of change orders be reviewed to provide more latitude to the

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Department Directors. A motion was made by DAVE BECKERING to approve Change Order No. 2 to the Contract with Patterson Construction for additional concrete repair services in an amount not to exceed \$240.24; for a total contract amount not to exceed \$57,740.24. JERRY REESE seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer, Kneemiller, Muench, Ohmes, Reese, Veit, Weller, Beckering, and Feldman. "Nay": None. Absent: Veit. Motion passed.
File#47520

REPORT OF THE MAYOR

Budget Amendment No. 7 (Council Bill 10383)

The Honorable Mayor Patricia M. York provided information relative to the items included in Budget Amendment No. 7.

Written and/or Verbal Messages from the Mayor

Christmas Traditions. The Honorable Mayor Patricia M. York announced the many events included in the Christmas Traditions.

Ice Skating Rink. The Honorable Mayor Patricia M. York announced that the Ice Skating Rink in Frontier Park is open.

Snow and Ice Route Books. The Honorable Mayor Patricia M. York informed the Council that the Snow and Ice Route Books for Winter 2010-2011 are at their desks this evening.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Update from Council Liaisons on Board/Commission/Committee

Frontier Park Pavilion Committee. Vice President of the Council Dave Beckering requested an update from Director of Parks & Recreation Maralee Britton on the status of the Frontier Park Restroom Project.

Board of Public Works. President of the Council Michael Klinghammer announced that there are openings on the Board of Public Works; and that any resident interested in serving on the Board may contact the Mayor's Office.

Written and/or Verbal Messages from the Councilmembers

City Employee Coat Drive. Councilmember Laurie Feldman thanked all the City Employees who participated in the coat drive; and announced that 150 coats were collected.

Municipal Band Concert. Councilmember Larry Muench announced that the St. Charles Municipal Band is hosting a free concert on December 16, 2010, at St. Charles High School.

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Lewis & Clark Fife & Drum Corp. Councilmember Larry Muench announced that the Lewis & Clark Fife & Drum Corp sponsored a fund raiser to purchase new uniforms; and stated that anyone desiring to contribute to the Lewis & Clark Fife & Drum Corp can send a donation to City Hall c/o Lewis & Clark Fife & Drum Corp.

The Regular Council Meeting was adjourned at 8:20 p.m.

December 21, 2010
Date Approved

Marilyn K. McCoy
City Clerk

Michael Klinghammer
Michael Klinghammer, Presiding Officer